

TENNIS COURT
(TITLE 30)

TIOGA WAY/ACKERMAN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0141-BERGIN DAVID & CHRISTEL:

USE PERMIT to allow an accessory structure (enclosed tennis court with lights) prior to a principal use (residence) on a portion of 0.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Tioga Way and the north side of Ackerman Avenue (alignment) within Lone Mountain. MK/lm/syp (For possible action)

RELATED INFORMATION:

APN:

125-10-402-012

USE PERMIT:

Allow an accessory structure (enclosed tennis court with lights) prior to a principal structure (residence) where an accessory structure is permitted only with a principal structure per Table 30.44-1.

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: n/a
- Site Acreage: 0.6
- Project Type: Tennis court
- Building Height (feet): 12 (chain-link fence)/18 (light pole)

Site Plan

The plan depicts an existing lot within a 4 lot cul-de-sac where all 4 lots face a private cul-de-sac adjacent to Tioga Way. The subject parcel is Lot 3, on the southeast corner of the cul-de-sac. The applicant constructed a private enclosed tennis court without permits and prior to the construction of their residence. The tennis court is set back 15 feet from the east property line, and 55 feet from the north property line. The tennis court is oriented in a north/south direction.

Elevations

The plan depicts a tennis court enclosed by a 12 foot high chain-link fence with 18 foot tall light poles for a total of 6 lights located on the east and west fence lines of the tennis court.

Applicant's Justification

The applicant indicates that the property was originally purchased to construct a residence for their parents; however, delays occurred due to the pandemic. They instead moved forward on constructing the tennis court for their children. Visitors will park in the private street. Once the tennis court and structures are permitted and fully constructed, the existing construction fencing will be removed and the shielded lights will have self-operating timers for night use. The applicant indicates the owner intends to construct a residence within the next 5 years.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-19-0468	Vacated right-of-way (Ackerman Avenue)	Approved by PC	August 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & Undeveloped
South	City of Las Vegas	R-E	Undeveloped
East & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

Clark County Public Response Office (CCPRO)

CE-21-17897 is an active case for building a tennis court without permits.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The submitted plans show that that accessory structure (tennis court) meets all required setbacks from the subject parcel's property lines. Had the applicant tried to obtain a building permit, they would have been notified that the use would not be permitted without appropriate land use approval and permits. The use is inconsistent with this portion of the community and character. Staff is concerned about the potential of dust from the graded site without proper permits and if

the property owners host more than immediate family members that parking on the ungraded site might occur. Therefore, staff is unable to support the request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Applicant is advised to obtain all necessary approvals to meet Air Quality standards; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVID BERGIN

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